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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To repeal each gun control measure enacted by the 117th Congress, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. BOEBERT introduced the following bill; which was referred to the
Committee on _____

A BILL

To repeal each gun control measure enacted by the 117th
Congress, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Shall Not Be Infringed
5 Act of 2023”.

6 **SEC. 2. REPEALING GUN CONTROL APPROPRIATIONS FOR**
7 **FISCAL YEAR 2023 AND OTHER PROVISIONS.**

8 (a) **ELIMINATING ATF BUDGET INCREASE.**—Of the
9 unobligated balances of the amounts made available under

1 the heading “SALARIES AND EXPENSES” under the head-
2 ing “BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
3 EXPLOSIVES” under title II of division B of Public Law
4 117–328, \$140,929,000 is rescinded.

5 (b) PREVENTING GUN REGISTRY EXPANSION.—No
6 funds made available to the Bureau of Alcohol, Tobacco,
7 Firearms, and Explosives under Public Law 117–328, or
8 any other Act, may be used to consolidate firearms tracing
9 applications through an eTrace modernization effort with
10 enhanced data sharing capabilities.

11 (c) PROTECTING VETERANS FROM GUN CONFISCA-
12 TION.—No Federal funds, including amounts made avail-
13 able for medical centers of the Department of Veterans
14 Affairs, may used to on programs or protocols on firearm
15 safety and storage or gun confiscation laws (also known
16 as “extreme risk protection” orders and “red flag” laws)
17 or similar gun safety laws including by collaboration with
18 State or local law enforcement or health officials of any
19 State.

20 (d) PROTECTING VETERANS ACCESS TO FIRE-
21 ARMS.—No Federal funds, including amounts made avail-
22 able for the Department of Veterans Affairs, may used
23 to evaluate or implement a firearm storage program for
24 firearms, including any program under which individuals
25 will be asked how they store their firearms.

1 (e) PREVENTING THE DEPARTMENT OF EDUCATION
2 FROM VIOLATING THE PRIVACY OF GUN OWNING PAR-
3 ENTS.—The Department of Education shall cease any
4 program related to secure firearm storage, including any
5 efforts by the Department of Education to offer support
6 to Federal agencies that are leading efforts relating to se-
7 cure household firearm storage.

8 (f) PREVENTING HHS FROM IMPLEMENTING GUN
9 CONFISCATION POLICIES OR PROMOTING REDUCED AC-
10 CESS TO THE SECOND AMENDMENT.—The Secretary of
11 Health and Human Services—

12 (1) shall immediately cease carrying out any
13 program relating to access to firearms, including any
14 program carried out by the Substance Abuse and
15 Mental Health Services Administration that limits,
16 or promotes limited access to, firearms; and

17 (2) shall not establish, promote, maintain, or
18 receive gun storage maps for any purpose, such as
19 to facilitate out-of-home firearm storage or encour-
20 age the creation or use of gun confiscation laws, also
21 known as “red flag” orders or “extreme risk” laws.

22 (g) REDUCING ATF BENEFITS.—Section 3201 of the
23 Crime Control Act of 1990 (28 U.S.C. 509 note) is
24 amended—

1 (1) by striking “the Federal Prison System, the
2 Bureau of Alcohol, Tobacco, Firearms and Explo-
3 sives, or the United States Marshals Service” and
4 inserting “or the Immigration and Naturalization
5 Service”; and

6 (2) by striking “\$50,000” and inserting
7 “\$25,000”.

8 (h) RESCISSION OF UNUSED GUN CONTROL EAR-
9 MARK FUNDING.—Of the amounts made available under
10 paragraph (1)(Q) of the matter under the heading “OF-
11 FICE OF JUSTICE PROGRAMS” under the heading “OFFICE
12 OF JUSTICE PROGRAMS” under title II of division B of
13 the Consolidated Appropriations Act, 2023 (Public Law
14 117–328), the unobligated balances of the amounts made
15 available for the following, as described in House Report
16 117–395 or the document of the Committee on Appropria-
17 tions of the Senate entitled “Commerce, Justice, Science
18 and Related Agencies [Community Project Spending/Con-
19 gressionally Directed Spending]” and dated December 19,
20 2022, are rescinded:

21 (1) \$1,200,000 to Shaphat Outreach for a
22 project entitled “No Shots Fired”.

23 (2) \$120,000 to Full Gospel Christian Assem-
24 blies International for a project entitled “Orchid
25 Healing Circles for Victims of Gun Violence”.

1 (3) \$750,000 to the Lake County State’s Attor-
2 ney for the project entitled “Lake County Gun Vio-
3 lence Prevention Initiative”.

4 (4) \$4,600,000 to the City of Hampton for a
5 project entitled “Hampton Gun Violence Interven-
6 tion Program”.

7 (5) \$760,000 to the City of Newport News for
8 a project entitled “Gun Violence and Violent Crime
9 Reduction Initiative”.

10 (6) \$67,000 to Congregations Organized for a
11 New Connecticut for a project entitled “Fostering
12 Greater Gun Safety in the New Haven Area”.

13 (7) \$237,000 to the Regional Youth Adult and
14 Social Action Partnership for a project entitled
15 “Bridgeport Gun Violence Prevention”.

16 (8) \$350,000 to the City of Chicago for a
17 project entitled “Assistance to Chicagoans Who Be-
18 come Disabled As a Result of Gun and Community
19 Violence”.

20 (9) \$1,000,000 to the Providence Police De-
21 partment for a project entitled “Crime and Gun Vio-
22 lence Reduction Initiative”.

23 (10) \$830,000 to the City of Vallejo for a
24 project entitled “The Vallejo Gun Violence Preven-
25 tion Initiative”.

1 (11) \$1,000,000 to University of New Haven
2 for a project entitled “Community-Based Gun Vio-
3 lence Reduction Project at the University of New
4 Haven”.

5 (i) PREVENTING ANTI-GUN ACTIVISM BY CDC AND
6 NIH.—

7 (1) IN GENERAL.—The Director of the Centers
8 for Disease Control and Prevention and the Director
9 of the National Institutes of Health shall not fund
10 or carry out any research relating to firearm injury
11 or mortality prevention that treats crime as a public
12 health epidemic, including advocating, promoting, or
13 studying firearm-related restrictions or policies; fire-
14 arm disenfranchisement, bans, confiscation, or reg-
15 istration, or other gun control measures; and any
16 other restriction on firearms or other self defense
17 tools.

18 (2) PROTECTION FOR NON-POLITICAL RE-
19 SEARCH.—The Director of the Centers for Disease
20 Control and Prevention and the Director of the Na-
21 tional Institutes of Health may carry out research
22 on medical procedures, practices, treatments, medi-
23 cines, and therapies related to firearm injuries and
24 recovery.

25 (j) GUN RIGHTS ARE WOMEN’S RIGHTS.—

1 (1) IN GENERAL.—The Director of the Office
2 on Violence Against Women may not carry out an
3 initiative to reduce the lethality of firearms.

4 (2) SECOND AMENDMENT EXERCISE.—This
5 subsection shall not be construed to prevent the en-
6 couragement and training of women to exercise the
7 right to self defense protected under the Second
8 Amendment to the Constitution of the United
9 States.

10 (k) PREVENTING MISUSE OF COMMUNITY VIOLENCE
11 INTERVENTION INITIATIVES.—Amounts appropriated
12 under Federal law may not be used for community vio-
13 lence intervention and prevention in a manner that results
14 in the denial, without due process, of the exercise of the
15 right of an individual under the Second Amendment to
16 the Constitution of the United States.

17 (l) PREVENTING THE TARGETING OF PATRIOTS AS
18 DOMESTIC VIOLENT EXTREMISTS.—

19 (1) IN GENERAL.—Amounts appropriated under
20 Federal law may not be used to investigate a citizen
21 of the United States or an organization based solely
22 on—

23 (A) patriotism;

24 (B) the belief that gun control is unconsti-
25 tutional or a violation of the Second Amend-

1 ment to the Constitution of the United States;
2 or

3 (C) reference to, affiliation with, or pro-
4 motion of—

5 (i) the Revolutionary War; or

6 (ii) founding era ideology, imagery,
7 symbols, or quotes, including—

8 (I) the Gadsden flag;

9 (II) the Liberty Tree;

10 (III) the Betsy Ross flag;

11 (IV) Minutemen; or

12 (V) the Second Amendment to
13 the Constitution of the United States.

14 (2) RULE OF CONSTRUCTION.—This subsection
15 shall not be construed to prevent the education of
16 lawmakers and employees or agents of a Federal,
17 State or local governmental agency about the text
18 and history of the Second Amendment to the Con-
19 stitution of the United States.

20 **SEC. 3. REPEAL OF THE UNCONSTITUTIONAL COMPROMISE**
21 **BY SENATORS CORNYN AND MURPHY.**

22 (a) SECTION 12001 OF THE BIPARTISAN SAFER
23 COMMUNITIES ACT.—

24 (1) UNITED STATES CODE.—Section 922 of
25 title 18, United States Code, is amended—

- 1 (A) in subsection (d)—
- 2 (i) in the matter preceding paragraph
- 3 (1), by striking “, including as a juvenile”;
- 4 and
- 5 (ii) in paragraph (4), by striking “at
- 6 16 years of age or older”; and
- 7 (B) in subsection (t)—
- 8 (i) in paragraph (1)—
- 9 (I) in subparagraph (B)(ii)—
- 10 (aa) by striking “subject to
- 11 subparagraph (C)”;
- 12 (bb) by adding “and” at the
- 13 end;
- 14 (II) by striking subparagraph
- 15 (C); and
- 16 (III) by redesignating subpara-
- 17 graph (D) as subparagraph (C);
- 18 (ii) in paragraph (2)—
- 19 (I) by striking “transfer or”; and
- 20 (II) by striking “(d), (g), or (n)
- 21 (as applicable)” and inserting “(g) or
- 22 (n)”;
- 23 (iii) in paragraph (4)—
- 24 (I) by striking “transfer of a fire-
- 25 arm to or”; and

1 (II) by striking “(d), (g), or (n)
2 (as applicable)” and inserting “(g) or
3 (n)”;
4 (iv) in paragraph (5)—
5 (I) by striking “transfer of a fire-
6 arm to or”; and
7 (II) by striking “(d), (g), or (n)
8 (as applicable)” and inserting “(g) or
9 (n)”.

10 (2) NICS REQUIREMENTS.—

11 (A) BRADY HANDGUN VIOLENCE PREVEN-
12 TION ACT.—Section 103 of the Brady Handgun
13 Violence Prevention Act (34 U.S.C. 40901) is
14 amended by striking subsection (l).

15 (B) REPORT ON REMOVING OUTDATED,
16 EXPIRED, OR ERRONEOUS RECORDS.—Section
17 12001(b) of the Bipartisan Safer Communities
18 Act (34 U.S.C. 40910 note; Public Law 117–
19 159) is repealed.

20 (b) SECTION 12002 OF THE BIPARTISAN SAFER
21 COMMUNITIES ACT.—Section 921(a) of title 18, United
22 States Code, is amended—

23 (1) in paragraph (21)(C), by striking “to pre-
24 dominantly earn a profit” and inserting “with the
25 principal objective of livelihood and profit”;

1 (2) by striking paragraph (22); and

2 (3) by redesignating paragraphs (23) through
3 (30) as paragraphs (22) through (29), respectively.

4 (c) SECTION 12003 OF THE BIPARTISAN SAFER
5 COMMUNITIES ACT.—

6 (1) BYRNE JAG PROGRAM.—Section 501(a)(1)
7 of title I of the Omnibus Crime Control and Safe
8 Streets Act of 1968 (34 U.S.C. 10152(a)(1)) is
9 amended—

10 (A) in the matter preceding subparagraph

11 (A), by striking “or civil proceedings”; and

12 (B) by striking subparagraph (I).

13 (2) ANNUAL REPORT ON CRISIS INTERVENTION
14 PROGRAMS.—Section 501 of title I of the Omnibus
15 Crime Control and Safe Streets Act of 1968 (34
16 U.S.C. 10152) is amended by striking subsection
17 (h).

18 (d) SECTION 12005 OF THE BIPARTISAN SAFER
19 COMMUNITIES ACT.—

20 (1) DEFINING “DATING RELATIONSHIP”.—Sec-
21 tion 921(a) of title 18, United States Code, is
22 amended—

23 (A) in paragraph (33)(A)(ii)—

1 (i) by striking “by a person similarly”
2 and inserting “or by a person similarly”;
3 and

4 (ii) by striking “, or by a person who
5 has a current or recent former dating rela-
6 tionship with the victim”; and

7 (B) by striking paragraph (37).

8 (2) ELIMINATING UNCONSTITUTIONAL PROHIB-
9 ITED PERSON CATEGORY.—Not later than 30 days
10 after the date of enactment of this Act, the Attorney
11 General shall—

12 (A) remove each name added to the na-
13 tional instant criminal background check sys-
14 tem established under section 103 of the Brady
15 Handgun Violence Prevention Act (34 U.S.C.
16 40901) between June 25, 2022, and the date of
17 enactment of this Act as a result of the amend-
18 ments made under section 12005(a) of the Bi-
19 partisan Safer Communities Act (Public Law
20 117–159; 136 Stat. 1332); and

21 (B) certify to Congress that the Attorney
22 General has made the removal required under
23 subparagraph (A).

24 (3) LIMITATIONS ON CONVICTIONS OF CRIMES
25 OF DOMESTIC VIOLENCE WITH RESPECT TO DATING

1 RELATIONSHIPS.—Section 921(a)(33) of title 18,
2 United States Code, is amended—

3 (A) in subparagraph (A), in the matter
4 preceding clause (i), by striking “subparagraphs
5 (B) and (C)” and inserting “subparagraph
6 (C)”; and

7 (B) by striking subparagraph (C).

8 (e) SECTION 13401 OF THE BIPARTISAN SAFER
9 COMMUNITIES ACT.—Section 8526 of the Elementary and
10 Secondary Education Act of 1965 (20 U.S.C. 7906) is
11 amended—

12 (1) in paragraph (5), by inserting “or” at the
13 end;

14 (2) in paragraph (6), by striking “; or” at the
15 end and inserting a period; and

16 (3) by striking paragraph (7).

17 **SEC. 4. REPEAL OF THE NICS DENIAL NOTIFICATION ACT**
18 **OF 2022.**

19 (1) UNITED STATES CODE.—Title 18, United
20 States Code, is amended—

21 (A) in section 921(a), by striking para-
22 graph (36); and

23 (B) in Chapter 44—

24 (i) by striking section 925B; and

25 (ii) by striking section 925C.

1 (2) CLERICAL AMENDMENTS.—The table of sec-
2 tions for chapter 44 of title 18, United States Code,
3 is amended—

4 (A) by striking the item related to section
5 925B; and

6 (B) by striking the item related to section
7 925C.

8 **SEC. 5. REPEAL OF SPECIAL ASSISTANT U.S. ATTORNEYS**
9 **AND CROSS-DEPUTIZED ATTORNEYS EN-**
10 **FORCING FEDERAL GUN CONTROL LAWS.**

11 (a) IN GENERAL.—Chapter 44 of title 18, United
12 States Code, is amended by striking section 925D.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 for chapter 44 of title 18, United States Code, is amended
15 by striking the item relating to section 925D.

16 **SEC. 6. REPEAL OF UNCONSTITUTIONAL PILOT PROGRAM**
17 **ON SAFE STORAGE OF PERSONALLY OWNED**
18 **FIREARMS.**

19 Section 595 of the James M. Inhofe National Defense
20 Authorization Act for Fiscal Year 2023 (Public Law 117–
21 263) is repealed.